

DIVISION - CONTINUATION - CONTINUATION-IN-PART APPLICATION TRANSMITTAL FORM		Attorney Docket No.: A-398G	
Anticipated Classification Of This Application: Class		Prior Application: Examiner L. Spector	
Subclass		Art Unit 1647	

To the Assistant Commissioner for Patents:

This is a request for filing a ☒ continuation ☐ divisional ☐ continuation-in-part application, under 37 CFR 1.53(b), of pending prior application Serial No. 10/265,037 filed on October 4 20 02, of Bendele et al. for COMBINATION THERAPY USING AN IL-1 INHIBITOR FOR TREATING IL-1 MEDIATED DISEASES

For CONTINUATION or DIVISIONAL APPLNs only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 1b, below, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

- ☒ Transmitted herewith are:
 - ☒ 85 pages of specification, 4 pages of claim(s) and 1 page of abstract, totaling 90 pages.
 - ☒ 8 sheet(s) of drawings.
 - ☒ 4 pages of Oath or Declaration by the applicant(s):
 - ☐ a. Newly executed (original or copy)
 - ☒ b. Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional applns. only)
 - ☒ 3 pages of Sequence Listing; computer readable copy (identical to paper copy); sequence statement.
- ☒ The filing fee is calculated below:

For	Number Filed		Number Extra		Rate		Fee
Total Claims	5	- 20 =	0	x	\$18.00	=	\$ 0.00
Independent Claims	1	- 3 =	0	x	\$84.00	=	0.00
Multiple Dependent Claims	0			+	\$280.00	=	0.00
Basic Fee					\$750.00	=	750.00
Total Filing Fee							\$ 750.00

- ☒ Please charge Deposit Account No. 01-0519, in the name of Amgen Inc., in the amount of \$ 750.00. An original and one copy are enclosed.
- ☒ Throughout the prosecution of this application, if any extension of time is necessary, please consider this a request therefor.
- ☒ The Commissioner is hereby authorized to charge any additional filing fees which may be required by the accompanying application, any additional fees which may be required during pendency of this application as required by 37 CFR 1.16 or 1.17, or credit any overpayment to Deposit Account No. 01-0519 throughout the prosecution of this application.
- ☒ Cancel in this application original claims 1-26 and consider the added claims in the preliminary amendment, before calculating the filing fee.

EXPRESS MAIL CERTIFICATE

"Express Mail" mail labeling number: EV352012943US

Date of Deposit: July 16, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

DAKYL LINDHOLM
Printed Name

[Signature]
Signature

7. ☒ Preliminarily, please amend the specification by inserting before the first line the following:

--This application is a ☒ continuation ☐ division of application Serial No. 10/265,037, filed October 4, 2002, which is a continuation of Serial No. 09/326,260, filed June 4, 1999, which is a continuation of International Application No. PCT/US97/22720, filed December 8, 1997, which claims the benefit of US Provisional Application No. 60/032,790, filed December 6, 1996; US Provisional Application No. 60/036,353, filed January 23, 1997; US Provisional Application No. 60/039,311, filed February 7, 1997; and US Provisional Application No. 60/052,025, filed July 9, 1997, all of which are hereby incorporated by reference.

8. ☐ Transfer the drawings from the prior application to this application and abandon said prior application as of the filing Date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file. (May only be used if signed by person authorized by § 1.138 and before payment of base issue fee.)

8a. ☐ New formal drawings are enclosed.

9. ☐ Priority of application Serial No. _____ filed on _____ in _____ (country) is claimed under 35 USC 119.

9a. ☐ The certified copy has been filed in prior application Serial No. _____ filed _____

10. ☒ The prior application is assigned of record to Amgen Inc.

11. ☒ A preliminary amendment is enclosed.

12. ☐ Also enclosed _____

13. ☐ Other: _____

14. ☒ The power of attorney in the prior application is to:

Ron K. Levy, Registration No.: 31,539

Steven M. Odre, Registration No.: 29,094; Thomas D. Zindrick, Registration No.: 32,185

Timothy J. Gaul, Registration No.: 33,111

a. ☒ The power appears in the original papers in the prior application.

b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

c. ☒ Address all future communications to
Diana K. Sheiness
at the address below.

Signator: ☐ Assignee of complete interest

☒ Attorney or agent of record

Diana K. Sheiness

Diana K. Sheiness
Attorney/Agent for Applicant(s)
Registration No. 35,356
Phone: (206) 265-4818
Date: July 16, 2003

Please send all future correspondence to:

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